

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Stacy Jean Smith

Docket No. 7:10-MJ-1191-1

Petition for Action on Probation

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Stacy Jean Smith, who, upon an earlier plea of guilty to DWI, Level II, 18 U.S.C. § 13, NCGS 20-138.1, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on April 14, 2011, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility. *
3. It is further ordered that the defendant shall participate in any Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation office. *
4. The defendant is to serve 7 days active custody in the Bureau of Prisons to commence today.
5. The defendant shall not incur or open additional lines of credit without the approval of the probation office.
6. The defendant shall provide the probation office with access to any requested financial information.
7. The defendant shall pay a special assessment fee of \$25.

* The court ordered these conditions may be waived if previous treatment is acceptable to U.S. Probation.

On August 23, 2011, the probationer's conditions were modified to include a special condition that she undergo placement in a residential reentry center for a period of 120 days. This condition was imposed to assist the probationer with securing a residence and suitable employment.

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On October 17, 2011, the probationer was accepted into the HARRTS Residential Recovery Program in Wilmington, N.C., and her placement at the residential reentry center was terminated.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The probationer informed the probation officer she was depressed and would benefit from mental health therapy. She agreed to participate in a mental health treatment program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

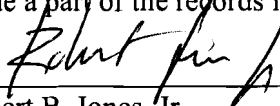
Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Executed On: October 28, 2011

ORDER OF COURT

Considered and ordered this 28 day of October, 2011, and ordered filed and made a part of the records in the above case.


Robert B. Jones, Jr.
U.S. Magistrate Judge